

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America,

v.

Hector Lopez

Movant.

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6:06-cr-00503-JMC-1

OPINION AND ORDER

A document entitled “Motion for Relief Pursuant to a Petition of Habeas Relief Pursuant to 28 U.S. C. §2255 (f)(3) in Raising a New Rule of Law Pursuant to a Supreme Court Decision” has been submitted to the court for consideration. The Clerk of Court may file the pleading as of the date it was received for docketing, however, this action is not “in proper form.”

The Administrative Office of the United States Courts has provided approved forms for filing motions to vacate under 28 U.S.C. § 2255. The correct form for a motion under 28 U.S.C. § 2255 is AO form 243. The Clerk of Court is directed to provide Movant with the proper forms for filing the motion, and if Movant wishes to proceed with this action, he is directed to submit an amended motion on the court-approved form for filing a § 2255 motion.

Movant is given 21 days from the date of this order to submit his/her motion in proper form. If Movant fails to provide to the Clerk of Court a motion on the proper forms within the period prescribed in this order, the Office of the Clerk of Court shall forward the file in the above-captioned case to the United States District Judge assigned to this case for a final order.

IT IS SO ORDERED.

s/ J. Michelle Childs
United States District Judge

October 10, 2012
Greenville, South Carolina